

AIR FORCE INSTRUCTION 51-1201

***UNITED STATES AIR FORCES IN EUROPE
(USAFE)
Supplement 1***

(Date)

Law

***ALTERNATIVE DISPUTE RESOLUTION IN
WORKPLACE DISPUTES***

AFI 51-1201, 21 April 2004, is supplemented as follows:

2.1. (Added.) The ADR processes prescribed in this instruction do not specifically apply to workplace disputes raised by local national employees, whose conditions of employment and dispute procedures are governed by host nation law, prevailing practice and negotiated agreements. Some informal ADR techniques, however, may be useful in facilitating communication and achieving early resolution of conflicts involving local national employees.

2.2. (Added.) Since there is no union representation for U.S. civilian employees within USAFE, any requirements in the AFI to work or negotiate with local labor unions and coordinate with labor relations officers will be disregarded. Likewise, any references to negotiated grievance procedures, provisions of collective bargaining agreements, labor law or labor regulations do not apply to USAFE U.S. civilian employees or USAFE ADR processes and will be disregarded.

10.4. (Added.) Ensure unit compliance inspection checklists include mandatory items required of installation commanders, the installation ADR Champion for Workplace Disputes, Staff Judge Advocate and involved functional area managers, consistent with the AFI and this supplement.

12.2.1. (Added.) Forward a copy of each current, approved ADR plan to the Command ADR Champion for Workplace Disputes.

13.4. (Added.) AFI 36-2706, 29 July 2004, Section 4B, authorizes use of ADR to resolve informal military equal opportunity (MEO) complaints. That AFI requires the MEO office to offer services of an MEO specialist who has been trained in the use of facilitation/mediation and interest-based negotiation to serve as a facilitator whenever disputants voluntarily agree to the use of ADR. Trained MEO specialists may serve as resources to facilitate resolution of other workplace disputes, based on current manning, training, and consistent with an installation's ADR plan or at the direction of the installation commander.

13.5. (Added.) The frequent turnover of U.S. civilian employees in overseas areas and the resultant difficulties in maintaining trained collateral-duty mediators makes having a strong ADR plan a must.